

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
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4 Arthur Daniel Mayo,
5 Petitioner
6 v.
7 Jo Gentry, et al.,
8 Respondents
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2:16-cv-00599-JAD-GWF

Order Denying Motion to Correct Exhibit
[ECF No. 42]

10 Pro se petitioner Arthur Daniel Mayo is a habitual criminal serving a 5–12-year sentence
11 at the Southern Desert Correctional Center.¹ He petitions for a writ of habeas corpus, arguing
12 that he was denied due process, effective assistance of counsel, and equal protection.²
13 Respondents filed a motion to dismiss with 73 supporting exhibits.³ And on December 5, 2017,
14 respondents answered the petition, renewed their motion to dismiss, and attached as its 74th
15 exhibit an order from the Nevada Court of Appeals affirming the state court’s decision to deny
16 his second state-court petition for habeas corpus.⁴

17 Mayo moves to “correct state’s exhibit 74,” arguing that it is duplicative of exhibit 70.⁵
18 Exhibit 70 is also an order of affirmance, but it affirms the state court’s decision in Mayo’s first
19 state habeas action. Respondents clarify for Mayo that exhibits 70 and 74 are different orders on
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22 ¹ NEVADA DEP’T OF CORRECTIONS, <http://doc.nv.gov/Inmates/Home/> (Jan. 2, 2018) (inmate
23 search by name Arthur Mayo or by offender ID 1022221); *see also* ECF No. 6 at 2.

24 ² ECF No. 6.

25 ³ ECF Nos. 16–19.

26 ⁴ ECF No. 40-1.

27 ⁵ ECF No. 42. Mayo actually refers in his motion to exhibit 69 as the duplicate, but it’s clear
28 from the exhibits and his motion that he really means exhibit 70.

1 different dates for different cases.⁶ Exhibit 74 does not need correcting.

2 Accordingly, IT IS HEREBY ORDERED that Mayo's "Motion to Correct States (Exhibit
3 #74): Attach To: 'States Answer' Should Be (Exhibit #69)" [ECF No. 42] is **DENIED**. I also
4 sua sponte extend Mayo's reply deadline by 30 days. **Mayo now has until March 7, 2018, to**
5 **REPLY** to respondents' answer.

6 DATED: January 2, 2018.

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8 U.S. District Judge Jennifer A. Dorsey
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27 _____
28 ⁶ ECF No. 44.